

COMMITTEE ON JOINT SCHOOL BUILDINGS

February 6, 2007

5:00 PM

Chairman Beaudry called the meeting to order.

The Clerk called the roll.

Present: School Committee Members Beaudry, Herbert, Gelinas ; Aldermen Roy and Long

Absent: Alderman Thibault

Messrs.: A. Jefferson, K. Sheppard, T. Arnold

Chairman Beaudry addressed Item 3 of the agenda:

3. Update on the School Facilities Improvement Project (Monthly Report – February 2007).

Allan Jefferson, DMJM, stated good evening. The past month and a half... progress from mid-December to early February, primarily at the high school level, they've been working on sound attenuation installation. That's both on the interior and the exterior, with, I think, Hillside being closest to complete, and they're actually doing interior inspection of the work. Pretty much the same at the middle school level. Elementary school level, there's some sound attenuation installation, actually completion, over at Bakersville, and various punchlist activities and punchlist reconciliation and final inspections. At this point in time, I'd like to entertain any questions that anybody has on the progress of the work.

Alderman Roy asked has anything improved in the last week or so that we've been discussing in continuing on with DMJM and Gilbane?

Mr. Jefferson responded no, everything pretty much is status quo over the past, I'd say, eight to ten weeks.

Alderman Roy stated okay, thank you. Also, nice to welcome Kevin Sheppard to our meeting.

Chairman Beaudry stated exactly, I was going to say that, Kevin, welcome tonight. Tim is on vacation.

Alderman Roy stated hopefully Tim is watching this on Webcast; then he'll be briefed.

Chairman Beaudry asked any other questions about the project? As far as, things are moving...are they moving any faster than they were a couple of weeks ago?

Mr. Jefferson responded no, the activity is primarily punchlist reconciliation, which is basically the correction of previous punchlist items identified by the inspection team, and sound attenuation installation which is both happening on the exterior, on the roof, and on the interior. I think this week they just started to commence the final inspection of some of the sound attenuation installation work that has been completed. I believe that's at Hillside Middle School. And so they're just starting some of the final inspections of that work.

Chairman Beaudry asked so we still only have one school that's substantially complete out of the project?

Mr. Jefferson responded I've got two. I believe Northwest and MST.

Chairman Beaudry asked Northwest and MST are considered substantially complete?

Mr. Jefferson responded that's correct.

Alderman Roy made a motion to pass the report on to the Board of Mayor and Aldermen. The motion was duly seconded by Committee Member Gelinis.

Alderman Long asked this report also involves the financial report, correct?

Chairman Beaudry responded yes.

Alderman Long asked may I ask a question on the financials?

Chairman Beaudry responded go right ahead.

Alderman Long stated actually on the contingency, which is page nine of ten, the DMJM program management contract amendment. This report is as of February 1st?

Mr. Jefferson responded yes. This report does not reflect the latest amendment.

Alderman Long stated now if I'm reading this contract amendment correct, is the...we've only...59 percent is complete as of February 1st?

Mr. Jefferson stated no, our billings are usually a month behind, so the billings for February 1st would actually encompass, I believe, December billings, because the December invoice is submitted in mid-January and I think paid out in February.

Alderman Long asked all right, so this doesn't reflect December?

Mr. Jefferson responded correct.

Alderman Long asked and it would be \$278,000...would be the December's bill?

Mr. Jefferson responded no.

Alderman Long asked so this doesn't include December and January?

Mr. Jefferson responded that's correct.

Chairman Beaudry called for a vote on the motion to approve the report, and the motion carried.

Chairman Beaudry addressed Item 4 of the agenda:

4. Communication from the Building & Sites Committee requesting if the cost for the roof structure repairs at Hallsville School could come from the contingency fund of the design/build project.

Kevin Sheppard, Deputy Public Works Director, stated this is a project that was presented to the School side last year, and we talked about it again last night. It's roughly \$610,000. The structural integrity of the roof at Hallsville, I guess they cut that roof in half back in 1909 when they opened up the school and added on to it. They didn't find out that there was a flaw in it when they put it together until actually the Gilbane project came in and they wanted to put the HVAC system up in the attic and found out that it couldn't hold the load. So, it is a safety issue, and we wanted to bring it before this Committee because we feel it could be something that would be part of the design/build and can come out of the contingency. So we'd like to have the City Solicitor's office take a look at it and see if it can fall within the scope of the project to be done.

Alderman Roy made a motion that the City Solicitor meet with the Building Maintenance Department and DMJM and determine whether or not it is acceptable under contingency. If it's not, I would ask that Building Maintenance looks at possible CIP funding for it, as it is a defect in the building and should be rectified. The motion was seconded by Committee Member Gelinias.

Alderman Long asked has there been an estimate on this cost?

Mr. Sheppard responded as far as the CIP goes, Alderman Roy, it's actually part of the School District CIP request right now. Looking at both avenues, if this doesn't work out for some reason, it is part of the CIP request. We've actually bid this project out, hoping that we would get the money. We've taken a bid in. The bid is, I believe, \$541,000. We were hoping to get the project started sooner than later. Where it would be a summer project, there's some work that would have to get done before the summer started, and that would be about \$100,000 out of that \$541,000.

Chairman Beaudry stated the concern with this on the School side. We will revisit this because we set our priority list for the Building and Sites and the Finance last night. This was behind MST in the closing in of our schools, only because we felt that if it came here and got funded through this, we'd be all set. If not, we'd have to re-prioritize. But we haven't had any feedback yet from the Board of Mayor and Aldermen as far as what our bonding capacity is going to be. MST is a project that is something that has to be done because State money is coming in. That's \$2.5 million that we'd have to come up with for that program. And then the Hallsville School project, I know is close to \$600,000 and with that being said...Alderman Roy?

Alderman Roy stated as a reminder, the Board of Aldermen can't touch the budget until it's presented by the Mayor, so kind of looking at what Kevin was looking at with the timeframe of getting this done over the summer, we won't even have

access to your request or your budget coming from the School side until the end of March. So, in order to keep this going forward, let's get the review, but until we get presented the Mayor's budget in the end of March, we won't have any say as to your bonding capacity or we won't even see your requests until that time. So, as much as we'd like to be the ones speeding things along and not holding things up, we don't have that power, is the short answer.

Committee Member Gelinas stated well just to clear up any confusion, I don't think we're talking about our budget. We're talking about if this could be from contingency and not from the School Side's budget, so if it is determined that it can be used from contingency, the situation with the budget being presented by the Mayor and ours being presented in March, really doesn't come into play here.

Alderman Long stated with the latest fund release, what is the contingency, \$400,000?

Mr. Sheppard stated right, I believe the report you have in front of you shows roughly \$2 million and with the latest amendment to the DMJM contract, and I believe there was some cost associated with insurance. Those probably totaled \$1.3...

Chairman Beaudry stated \$1.1 million, I think it was. It was \$844,000 and \$321,000.

Mr. Sheppard stated so maybe \$1.1 million, so that would leave a balance of roughly \$900,000, subject to some other minor items that may not but...which, if another \$600,000 came out of that, it would leave a balance of \$300,000.

Alderman Long stated and you're saying you would want \$100,000 to begin this summer?

Mr. Sheppard stated correct, the contractor...it's specialty type work. The structure is over 100 years old. There are some jigs and metal work that have to be started so it will be prepared when the summer starts. So as a minimum, we'd like to get at least \$100,000 up front, I believe, so he can get that stuff prepared for the summer construction.

Alderman Long asked is he replacing this with timber or with steel?

Mr. Sheppard responded I don't know the details of the contract documents.

Chairman Beaudry stated actually, I think we will have a report for the next meeting. The only holdback on some of this was that Tim was on vacation.

Alderman Roy stated Mr. Chairman, there was a thought just raised on by colleague. Gilbane is not going to bid this?

Mr. Sheppard stated Gilbane did not bid it. It's actually a private contractor; 3 G's Construction was the low bid for this bid.

Alderman Roy stated and they're not affiliated whatsoever with Gilbane Construction?

Mr. Sheppard responded correct.

Chairman Beaudry stated so one of those "G's" is not Gilbane.

Alderman Roy stated expect to hear that question as long as I sit in this seat.

Mr. Sheppard stated from what I understand they're a pretty reputable company. They work on a lot of historic structures – wood bridges and things like that, so this is the company that we prefer to work on this structure.

Committee Member Gelinas asked how soon would you need approval from us on that \$100,000 work if you want to get that started before summer?

Mr. Sheppard responded I asked that question today and the answer I got is hopefully within the next month so that they can start that work.

Committee Member Gelinas asked what's the duration of the timeframe for that work?

Mr. Sheppard responded I think that the intent is to finish it over the summer months.

Committee Member Gelinas stated I mean the \$100,000 prep work, if you want to call it that. What's the timeframe for that?

Mr. Sheppard responded I think that would be the time pre-summer, from when the contractor got the notice to proceed, that \$100,000 would be used, like I said, to set up jigs, to start some of the steel work for whatever needed to be done for the structure, so that when summer came and school was out, he would be prepared to go on.

Committee Member Herbert asked would there be any objection to approving the \$100,000 today?

Alderman Roy stated if that question was thrown out for just general conversation, with permission of the Chair, the one thing that I was just about to ask Allan to do is an up-to-the-day financial. We're still not done with this project and as much as I'd like to personally fix the roof at Hallsville, it has been this way since 1909. I'd prefer almost to get out of this project before we take on any others, and I'm one, very fiscally aware that our contingency funds are getting down towards the bottom. We had all expected to be long done with this project by this time. So, I would like clarification from the Solicitor before I could make that decision because this really does wind down to almost a \$300,000 balance in contingency, upon this approval. So that's a risk that right now I'm not willing to take, personally.

Committee Member Herbert stated my understanding...well, a couple of points...so if I understand you correctly, the motion that's on the floor would actually not hinge so much on how much money is in contingency, but on whether or not, no matter how much money there is there, whether we could spend the money on this project. Is that the crux of the issue?

Alderman Roy stated that would be the first litmus test for me: Can we spend this contingency money on this project? If that is a yes, then it becomes a harder decision: is it better to bond it out and save the contingency and start this as a separate project, a separate CIP project, which I would also support, or is it better to go ahead and use the contingency funding with pending litigation and extensive costs by Gilbane's inadequacy to get this job done?

Committee Member Herbert stated in regards to how much is left in the contingency at this point in time, could you just go through those numbers again? I think you ended up with six hundred thousand and change.

Mr. Sheppard stated I believe the report reflects \$2 million if you take what was recently approved, roughly \$1.1 million. That would bring you down to \$900,000. This contract cost was \$540,000, but say with some contingency, \$600,000 assume, that would bring you down to \$300,000, if that came out of this...

Committee Member Herbert stated if the entire amount came out of contingency. That's where that \$300,000 comes from?

Mr. Sheppard stated correct. I'd just like to state too, that may not be a bad idea in the future is \$100,000, \$500,000, but we wouldn't want to enter a contract with this contractor unless we had the full funding or a guarantee of the full funding of the contract in place, because if we give him the go-ahead, we could give him a

notice to proceed just for that amount of work, but should that funding for the balance not come about, that's \$100,000 that was spent that we'll never recover.

Committee Member Herbert stated the other question also that has been raised is, you know, the retainage for liquidated damages. Would that money be able to be relinquished into the contingency fund at some point throughout this process? That will be something that we'll deal with our City Solicitor on. We do have some money there.

Committee Member Gelinas stated just one question for the City Solicitor...if he feels that he can have that decision rendered to us by the next meeting.

Mr. Thomas Arnold, City Solicitor, stated I will certainly do my best.

Chairman Beaudry asked is that a yes?

Mr. Arnold stated I never make promises to committee members anymore, but I certainly intend that, yes.

Alderman Roy stated Allan, as we get toward the end of this project, or hopefully toward the end of this project, it's going to get more crucial that we have up-to-date information. Is it possible for our next meeting to have all recent approved expenditures and everything so that we can have that, even if I know we've always put pressure on you to get it to the Clerk a week, ten days ahead of the meeting. At this point, even if it's handed out, get the Clerk what you can at that time, hand us the updates or the changes and we'll, you know, with paper copies, but as we get down to these numbers, I think it's crucial we have good facts.

Chairman Beaudry called for a vote on the motion on the floor which stated that the City Solicitor should meet with the Building Maintenance Department and DMJM to determine whether or not the roof repairs at Hallsville School are an acceptable contingency expense of the design/build project. There being none opposed, the motion carried.

Chairman Beaudry stated I actually have two other things. I talked to you earlier before the meeting. Bakersville School last night Superintendent Aliberti brought to my attention the heating situation at Bakersville School. I guess it has been quite a concern since it's been installed. And also, a sky light which is missing from the roof somehow. Basically, there's a hole on the Queen City side. Those two issues.

Mr. Jefferson stated I'll start on the heating system first. The heating system was a problem as of last winter and Gilbane underwent a bunch of corrective measures

that took place around the late February/early March timeframe. By that point in time, the heating season was coming to a close. This particular year now, with the temperatures being where they are, it basically puts the system to the test. And there are some issues over there, and I communicate regularly with the principal and there are going to be corrective measures taken. We even got sketches as late as today for corrective measures that are proposed for that system. But the engineer has re-looked at it, and this is actually the second go-around, and we'll get it right.

Chairman Beaudry asked are there flaws in the system or was it installed incorrectly? That's a whole brand new system from boiler to the piping.

Mr. Jefferson stated I think it's a little bit of both. That's why both Gilbane and the engineer was re-looking at everything, including doing a complete walk-through to check to make sure everything that was installed was consistent with what was on the contract documents. Then the engineer re-looked at the contract documents to make sure their calculations were correct.

Chairman Beaudry asked is it the same engineer that looked at the project for the installation?

Mr. Jefferson responded that's correct.

Chairman Beaudry stated well at some point if it doesn't correct itself are we looking at having an outside source similar to what you did with the noise situations in our school - have that independent person come in and take a look at it?

Mr. Jefferson responded I think if that pleases the City, that's an option that potentially could be looked at.

Mr. Sheppard stated we're familiar with the skylight; it does not deal with the design/build project. We're not too sure how it disappeared, but there is a skylight on order, and as soon as it's in, it will be installed.

On motion of Alderman Roy, duly seconded by Alderman Long, it was voted to adjourn the regular meeting and enter into non-public session pursuant to RSA 91-A:3II.(e).

On motion of Alderman Roy, duly seconded by Committee Member Gelinas, it was voted to return to public session.

There being no further business, on motion of Committee Member Gelinas, duly seconded by Alderman Roy, it was voted to adjourn.

A True Copy. Attest.

Clerk of Committee